

# EXHIBIT A

1 - 62

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

RONALD & PATRICIA SHAMON,	)	
	)	
Plaintiff,	)	
-v-	)	DOCKET NO.
	)	04-11674-WGY
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

THE ORAL DEPOSITION OF PATRICIA SHAMON, held pursuant to Notice, and the applicable provisions of the Federal Rules of Civil Procedure, before Diana Strzeminski, a Court Reporter and Notary Public, within and for the Commonwealth of Massachusetts, at the offices of the United States Attorney, 1 Courthouse Way, Suite 9200, Boston, Massachusetts, on Wednesday, March 16, 2005, commencing at 10:10 a.m.

**COPY**

1 Q Are you married, ma'am?

2 A I am.

3 Q To whom?

4 A Ronald Shamon.

5 Q Have you been married before?

6 A Yes.

7 Q To whom?

8 A Fred Jacobs. J-A-C-O-B-S.

9 Q When did that marriage begin and end?

10 A I was married in 1963 and he died in 1978.

11 Q Okay. Did you have any other marriages other than  
12 those two?

13 A I had one teenage fiasco. I'm not supposed to say  
14 that. Yes.

15 MR. WILMOT: The skeleton comes out.

16 (Laughter.)

17 BY MR. WILMOT:

18 Q One teenage marriage?

19 A Right.

20 Q What was the date of that?

21 A 1948 to 1953.

22 Q What was that gentleman's name?

23 A Paul Green. G-R-E-E-N. No "E" on the end.

24 Q Do you have any children?

25 A One.

1 Q What is your child's name?

2 A Pamela Fleming. F-L-E-M-I-N-G.

3 Q How old is Pamela?

4 A 55.

5 Q What is your date of birth? Sorry I have to ask  
6 that question.

7 A 6/9/31. You're not half as sorry as I am.

8 (Laughter.)

9 BY MR. WILMOT:

10 Q Where does Pamela live?

11 A Jackson, Tennessee.

12 Q And she is your daughter -- well, who is Pamela's  
13 father?

14 A Paul Green.

15 Q Are you currently employed?

16 A No.

17 Q How long have you been unemployed?

18 A I retired in 1998.

19 Q Where did you work?

20 A Holy Cross Hospital, Fort Lauderdale, Florida.

21 Q And how long were you working at Holy Cross  
22 Hospital?

23 A Thirty-three years.

24 Q Is your husband employed?

25 A I'm sorry?

1 Q Is your husband employed?

2 A No.

3 Q How long has he been unemployed?

4 A Since 1998. Let me see -- September.

5 Q September of 1998?

6 A Correct.

7 Q What was his last job, if you remember?

8 A He worked as a -- what was he doing?

9 It was a uniform company. He was a sales  
10 director, something of that sort.

11 Q What are the current sources of income to your  
12 household?

13 A Our Social Security and we own business property  
14 in Fort Lauderdale -- rent. And I own stock.

15 Q Do you have health insurance?

16 A Oh, yes.

17 Q With whom?

18 A Blue Cross, Blue Shield.

19 Q Is that your health insurance, or is it your  
20 husband's?

21 A We both have the same. It's Medex. If you need  
22 specific--

23 Q When did you first meet Mr. Shamon?

24 A In June of 1987.

25 Q When did your courtship begin?

1 A I'll sit there and laugh.

2 Q Just smile.

3 A June of 1987.

4 Q Were you dating anyone else at that time?

5 A No.

6 Q Obviously, at some point, Mr. Shamon proposed to  
7 you. Is that right?

8 A Yes.

9 Q When did he propose to you?

10 A Well, it was sort of a known fact that sometime we  
11 would get married and it was -- I don't know. I don't know  
12 when he proposed.

13 Q Was there, at some point, where he gave you an  
14 engagement ring or anything like that?

15 A Yes.

16 Q When was that?

17 A One year after I met him.

18 Q So that was--

19 A 1988.

20 Q 1988, okay.

21 Were there witnesses to that event?

22 A No.

23 Q When he gave you a ring?

24 A No.

25 Q Prior to 1988, were you and Mr. Shamon living

1 together?

2 A Yes.

3 Q And that was in Fort Lauderdale?

4 A Correct.

5 Q At the address that you already gave?

6 A Correct.

7 Q Whose home was that?

8 A Mine.

9 Q Do you remember what the date was in January when  
10 he moved into that home?

11 A June -- no, not exactly. I would say maybe the  
12 15th -- June 15th.

13 Q Of what year?

14 A 1987. I hate to be maudlin, but it was love at  
15 first sight.

16 Q Now when was the date of the actual wedding?

17 A April 12th of 2002.

18 Q Prior to April 12th of 2002, did you tell people  
19 that you and Mr. Shamon were married, before you were  
20 actually got married?

21 A Not in Fort Lauderdale.

22 Do you want me to elaborate?

23 Q Yes, please.

24 A When we moved to Plymouth, which is a residential  
25 area, we said we were married because it embarrassed me that

1 we weren't. I was afraid that people would look down their  
2 noses or something.

3 Q Do you remember who you told that you and  
4 Mr. Shamon were married?

5 A Well I didn't say, "We are married." I just -- we  
6 just introduced ourselves as Pat and Ron Shamon.

7 Q Do you know to whom you made that introduction?

8 A Neighbors.

9 Q Neighbors in that area?

10 A Yes.

11 Q Do you know any of their names?

12 A I know names. Yes. McGinnis, M-c-G-I-N-N-I-S.

13 Q That's the last name?

14 A Yes.

15 Q Do you know what the first name--

16 A --Jeff and Irene.

17 Q And they live?

18 A Next door.

19 Q Next door.

20 A Elise Vaunhefflyun. Wait a minute.

21 V-A-U-N-H-E-F-F-L-Y-U-N. I think.

22 Q You said that was Elise?

23 A Correct. E-L-I-S-E.

24 Q Have you any other names you can remember?

25 A Not off hand.



1 Q Do you remember, generally, when you told the  
2 McGinnis's that -- or when you introduced yourselves to the  
3 McGinnis's as Pat and Ron Shamon?

4 A We bought our house from them.

5 Q Okay. So, you think that at your first meeting,  
6 that's how you introduced yourselves?

7 A Probably, yes.

8 Q When was that first meeting?

9 A Probably at the beginning of September of '98.

10 Q And how about with Elise?

11 Do you remember when you would have made that  
12 introduction?

13 A No. She's a neighbor.

14 Q When did you actually move into your home in  
15 Plymouth?

16 A I believe we had our closing in the middle of  
17 October of '98.

18 Q Other than neighbors, did you introduce or did you  
19 tell family members that you and Mr. Shamon were married?

20 A Oh, no.

21 Q How about your friends? Did you tell your friends  
22 that you and Mr. Shamon were married?

23 A No.

24 Q Okay. Prior to April 12th, 2002, what type of  
25 savings account did you have?

1 A Yes.

2 Q And that began after you were married?

3 A Correct.

4 Q When did you actually begin planning your wedding?

5 A When we moved up here.

6 Q So, 1998, you started to plan?

7 A Umm.

8 COURT REPORTER: I need a yes.

9 MR. WILMOT: I'm sorry, did you say yes or no?

10 THE WITNESS: I'm sorry. Yes. Did I say, umm?

11 I beg your pardon.

12 MR. WILMOT: That's all right.

13 BY MR. WILMOT:

14 Q When did you obtain a marriage license?

15 A Shortly before February -- April 12th, 2002.

16 Q Do you still have a copy of your marriage license?

17 A I do, but I don't have it with me.

18 Q Right, I understand. Did you have a copy

19 somewhere?

20 A Oh yes, Yes.

21 Didn't we send one -- I'm sorry.

22 Q It's okay.

23 A Excuse me.

24 Q Where were you married?

25 A Plymouth Town Hall.

1 planning to get married?

2 A Correct.

3 Q Do you remember contacting -- I'm sorry if I asked  
4 this. Do you remember contacting the Town Hall before  
5 December 2001?

6 A We did not.

7 Q Did you have any witnesses at the marriage on  
8 April 12th, 2002?

9 A No.

10 Q Who did you tell that you were going to get  
11 married in December of 2001?

12 A Relatives.

13 Q Can you give me some names?

14 A Excuse me. Laura and Andy Polin. P-O-L-I-N.

15 Q Who are Laura and Andy Polin?

16 A My husband's daughter. Son-in-law.

17 Q Anyone else?

18 A My daughter, Pamela Fleming and husband, Larry.

19 Q Anyone else?

20 A Relatives in Tennessee, Wanda and Stanley Green.  
21 Janice and Ray Green.

22 Q Anyone else?

23 A Friends.

24 Q What are their names?

25 A Sharon Gooden. G-O-O-D-E-N. Loxahatchee,

1 Florida.

2 Q Anyone else?

3 A I'm sure there are others. I don't think of them  
4 at the moment.

5 Q Do you remember when you told Andy and Laura that  
6 you were going to get married in December of 2001?

7 A It would have been in June of 2001.

8 Q Why do you say that?

9 A Because my husband gave me an engagement ring and  
10 a wedding band on my birthday, June 9th.

11 Q Were they there to see that?

12 A Were they at the wedding or--

13 Q --Andy and Laura there to see when you received  
14 the ring on your birthday?

15 A No.

16 Q How do you remember telling them that you would --  
17 that you were going to get married in December of 2001?

18 A Because we baby sit. They have three children,  
19 and we baby sit a lot, and we are there. They live in  
20 Norwood.

21 Q Do you remember when you told Pamela and Larry  
22 Fleming that you were going to get married in December of  
23 2001?

24 A No. All these people I would have called, you  
25 know, within a few days or that day or soon.

1 Q So, in that timeframe of when you received the  
2 rings on your birthday, you would have called these people?

3 A That's correct.

4 Q And that goes for all of them?

5 A Yes.

6 Q Were any of these people that -- the names that  
7 you have given me, were they planning to attend the  
8 wedding--

9 A No.

10 Q --December 2001?

11 MR. WILMOT: Remember, you have to wait for me to  
12 finish. THE WITNESS: Sorry.

13 MR. WILMOT: That's okay. I'll just start again.

14 BY MR. WILMOT:

15 Q Any of the people that you've -- the names which  
16 you've just given me, were any of them planning to attend  
17 the wedding in December 2001?

18 A No.

19 Q Did you have a reception after your wedding?

20 A No. We went to dinner with Laura Polin and our  
21 three grandchildren.

22 Q Where did you go to dinner?

23 A Sorry, I don't know the name of the place. It was  
24 some little Italian restaurant in Marshfield.

25 Q Was that what you were planning to do for the

1 Q So, then when did you decide to cancel the  
2 December 10th wedding?

3 A After the sigmoid, on the 7th. He started feeling  
4 very, very sick, and progressively became more  
5 incapacitated. And the wedding was just not an issue at  
6 this point.

7 Q So, in the three days between the sigmoidoscopy  
8 procedure on the 7th, and December 10th, within that three  
9 days, you decided to cancel the wedding?

10 A Right.

11 Q But, you had not booked the reception hall or  
12 anything like that?

13 A No.

14 Q Not even before December 7th?

15 A No.

16 Q When were you planning to schedule your reception?

17 A Mr. Wilmot, it was not going to be a reception as  
18 far as a big reception. It would have been maybe more  
19 people, more family.

20 My husband at that time had two brothers living,  
21 and they were -- would have been a few more people at our  
22 dinner.

23 Q How many people were you planning to invite?

24 A I don't know, maybe five or six.

25 Q Do you remember contacting anyone to let them --

1 do you remember contacting anyone to set up this small  
2 reception, as you've described it?

3 A No.

4 Q When were you planning to call people or to let  
5 them know that you wanted to have a small reception after  
6 your wedding on the 10th of December?

7 A Probably the day before.

8 Q So, then -- you obviously then didn't mail any  
9 invitations or anything?

10 A Oh, no.

11 Q Okay.

12 A At this age you don't get too carried away.

13 Q And did you go with Mr. Shamon to the VA on  
14 December 7th, 2001?

15 A I did.

16 Q Can you tell me what you observed that day from  
17 when you arrived at the VA?

18 A I went in. I sat with him until in the waiting  
19 room until they called him in.

20 Q Which VA was this?

21 A Jamaica Plain.

22 Q So you sat with him in the waiting room?

23 A Yes, until they called him in.

24 Q Did you go in with him?

25 A No.

1 say anything else with regard to the procedure or the pain  
2 he was experiencing or discomfort that he was experiencing?

3 A He just kept talking about -- over and over and  
4 over about the fact that this Dr. Zhang had made him very --  
5 that it was very painful, and that he wished that he hadn't  
6 had the procedure done there.

7 Q Do you recall anything else about Mr. Shamon's  
8 condition once he got home?

9 A No, not really. I don't know.

10 Q When was the next time your husband went to the  
11 VA?

12 A 11th. The 11th of December.

13 Q Do you remember which VA he went to?

14 A That was Brockton.

15 Q Did you go with him?

16 A Yes.

17 Q And why did he go to the Brockton VA?

18 A Because he was experiencing rectal pain. He  
19 seemed to be running a temperature.

20 Q Do you remember what time he went to Brockton VA  
21 that day?

22 A Probably mid to late morning, I think.

23 Q Now, what had happened, prior to you going to the  
24 Brockton VA, that made you decide we need to go?

25 A He was complaining increasingly of feeling very



1 sick, having chills...

2 Q When did he begin complaining of feeling sick and  
3 having chills?

4 A Saturday. Sunday. Sunday he felt terrible.

5 Q And, what was that date?

6 A Ninth.

7 Q The ninth.

8 So, the ninth was when he began to feel sick and  
9 started having chills?

10 A Well, he didn't feel well initially, but, it was  
11 just a slow progression.

12 And he didn't want to go back but, I insisted that  
13 he go. And I finally, perhaps beat him into going on the  
14 11th.

15 Q Did you call the VA prior to going on the 11th?

16 A Yes.

17 Q Do you remember who you spoke to?

18 A There was a nurse there named Arthur Briggs, who  
19 was extremely helpful throughout.

20 Q And, what did you say to Arthur Briggs, and what  
21 did he say to you?

22 A I told him my husband had had a flexible  
23 sigmoidoscopy, and that he had been feeling progressively  
24 worse.

25 He was running a temp; was experiencing rectal

1 perhaps later, a Dr. Dickinson, common spelling--

2 (Telephone rings.)

3 MR. WILMOT: Excuse me. Let's go off the record  
4 for a minute.

5 THE WITNESS: Uh-Oh. That was a telemarketer.

6 (Laughter.)

7 (Off the record from 10:52 a.m. to 10:53 a.m.)

8 MR. WILMOT: We're back on.

9 BY MR. WILMOT:

10 Q You're saying that Dr.--

11 A Dr. Dickinson and a nurse came in, and asked us  
12 why we were there.

13 And, my husband told him that he had seen  
14 Dr. Tamler. We were waiting for medication.

15 And Dr. Dickinson said, "The pharmacy is already  
16 closed, and Dr. Tamler has gone home. And no one knew we  
17 were in there." And Dr. Dickinson gave him four  
18 Percocet for his pain and sent him home.

19 Q Now when you said Tamler did a brief history, was  
20 just questioning?

21 A Correct.

22 Q Did he do an examination of Mr. Shamon's rectal  
23 area at all?

24 A I don't think that he -- you mean did he do a  
25 finger stick? I don't think so.

1 Q Did he actually -- fine. Okay.

2 A Tamler? No, I'm sure he didn't.

3 Q Did he have Mr. Shamon disrobe?

4 A Yes.

5 Q Did he work at the anus area at all?

6 A Yes.

7 Q Okay. So, what happened next after you got the  
8 Percocet. You said your husband was released?

9 A Yes, and we went home.

10 Q Did you notice anything about your husband's  
11 physical condition once he got home?

12 A He was feeling worse and worse. He had chills all  
13 night, and the pain was increasing.

14 Q Did he have a fever?

15 A Yes.

16 Q Did you take his fever?

17 A I didn't.

18 Q How was -- was that by your hand?

19 A Yes.

20 Q When was the next time you went to a VA hospital?

21 A The following morning. I called Arthur Briggs  
22 again.

23 Q Did he have Mr. -- or Nurse Brigg's direct line?

24 A Yes, we did. He had given me his extension the  
25 day before. And he was extremely helpful.

1                   And he said, "Bring him in immediately. There's  
2 something wrong."

3           Q     What did you tell Nurse Briggs when you called him  
4 on the 12th?

5           A     I told him I wanted to bring my husband back, but  
6 definitely not to see Dr. Tamler because of -- and I told  
7 him what had happened. I wanted to see someone else.

8           Q     And, he said, bring in your husband immediately?

9           A     Yes.

10          Q     What time did you arrive at the hospital that day?

11          A     Mid-morning. I'm sorry, I don't know the exact  
12 time.

13          Q     What happened once you arrived at the hospital?

14          A     He was seen by Dr. Dickinson again who did a  
15 rectal exam and sent him--

16          Q     Were you in the room for that exam?

17          A     Yes.

18          Q     Did he -- did you observe him do any type of  
19 digital--

20          A     Yes. That's what I meant.

21          Q     So, Dr. Dickinson did a digital exam of the  
22 rectum, and then what happened next?

23          A     I think he went for a CT scan. He saw a  
24 Dr. Taylor.

25                   I'm sorry, Mr. Wilmot. It was probably the worst

1 day of my life. I don't -- it was sort of all blurred.

2 They -- someone told me -- told us that they had  
3 found, not ulcers, abscesses.

4 Q At some point during the day, someone told you  
5 that?

6 A Yes.

7 Q You don't remember who said that?

8 A I'm sorry, I don't.

9 Q That's okay.

10 A Maybe Dr. Taylor.

11 They catheterized him. And, they told -- now this  
12 was late afternoon. And, they told me they would take him  
13 by ambulance to West Roxbury. That he needed to have  
14 emergency surgery.

15 Q And, did that happen?

16 A Yes.

17 Q What time was he taken from the Brockton VA to  
18 West Roxbury?

19 A I don't know because I had to drive home and at  
20 this time in my life, I didn't drive at night.

21 Q What time did you leave the hospital?

22 A It was dark. It was early, but it was dark. It  
23 probably was 5:30, 6:00.

24 Q So you went home. But, your husband went to West  
25 Roxbury?

1 Q What happened next?

2 A We were allowed to go into the recovery room, and  
3 we saw him briefly. He was still partially anesthetized.

4 Q What happened next?

5 A I went back to Laura Polin's home where I stayed  
6 until he was discharged.

7 Q When was he discharged?

8 A December 21st.

9 Q You stayed with Laura until then?

10 A That is correct.

11 Q Did you visit him each day that he was there?

12 A Oh, yes. I stayed all day, every day.

13 Q After his discharge, when was the next time that  
14 he went to a VA hospital?

15 A He went for follow-ups daily. I mean, not daily.  
16 I don't know the dates.

17 Q That's okay.

18 A He had post-op visits with Dr. Fitzpatrick. He  
19 had -- I'm not sure, let me think.

20 He -- I'm sorry, am I doing something wrong?

21 Q No, no. Go ahead.

22 A You're laughing.

23 He had to go to a urologist because he was still  
24 catheterized. And I'm not sure if that was Jamaica Plain or  
25 West Roxbury.

1 Q How long since his discharge on the 21st?  
2 Did you notice any changes in his physical  
3 condition?

4 A After he was discharged? He was very weak. He  
5 couldn't walk without assistance. He couldn't get out of  
6 bed without assistance. He was distraught, to say the  
7 least.

8 He had visiting nurses twice a day to irrigate the  
9 area.

10 Q Other than the post-op visits, do you remember the  
11 next time he went to the VA?

12 A He -- I don't know.

13 They found pus in the -- wait a minute. He went  
14 to Jordan Hospital the beginning of January because he  
15 fainted in the shower. And, he was non responsive, so I  
16 called 911 because he hit his head on the faucet, and he was  
17 told that this was because he was taking a diuretic.

18 A visiting nurse was there when this occurred, and  
19 said to me, "I don't understand why he passed out. Let me  
20 see his medications." And, when I showed her the many  
21 bottles, she said, "He should not be taking this." And I'm  
22 sorry, Mr. Wilmot, I don't know the name of it.

23 Q Okay.

24 This is a VA nurse?

25 A No, no, the visiting nurse.